

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

TIMOTHY DEAN WELCH,
Plaintiff,

V.

JAROD BLEIBDREY¹, et al.,
Defendants.

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C.A. NO. C-06-392

**ORDER STAYING PROCEEDINGS AS TO DEFENDANT JOSE HERNANDEZ FOR
NINETY DAYS AND ORDER APPOINTING COUNSEL TO REPRESENT AND
LOCATE DEFENDANT JOSE HERNANDEZ PURSUANT TO THE
SERVICEMEMBERS CIVIL RELIEF ACT**

The Office of Attorney General has filed an *amicus* advisory that defendant Jose Hernandez is serving on active duty overseas in the United States Navy (D.E. 18). All proceedings in this case are stayed as to defendant Hernandez for a period of ninety days.

Pursuant to the Servicemembers Civil Relief Act, Assistant Attorney General Shanna Elizabeth Molinare is appointed to represent defendant Jose Hernandez. 50 App. U.S.C. § 521(b)(2). Within ninety days of the date of this order, counsel shall file either: (1) an answer on behalf of Mr. Hernandez; (2) a motion for a further stay which complies with the requirements of 50 App. U.S.C. § 522(b); or (3) a report detailing efforts to locate and communicate with defendant Hernandez.

ORDERED this 4th day of December, 2006.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE

¹The Clerk shall amend defendant J. Bleibdrey's name to "Jarod Bleibdrey" as represented by counsel in the defendants' answer (*See* D.E. 17).